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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

BRENTLEY FOSTER, JODY VAUGHAN
and **PHIL DUONG,**

Civil No. 6:11-cv-06115-HO

Plaintiffs,

v.

PATRICK FLAHERTY, individually and in
his personal capacity for actions he took under
color of state law as Deschutes County District
Attorney and Deschutes County District
Attorney-Elect, **COUNTY OF DESCHUTES**,
an Oregon municipal corporation,
DESCHUTES COUNTY BOARD OF
COMMISSIONERS ALAN UNGER,
TAMMY BANEY and **DENNIS LUKE**,
individually and in their personal capacity for
actions they took under color of state law,

**MOTION FOR EXTENSION
OF TIME TO RESPOND TO
DEFENDANTS' MOTIONS
TO DISMISS**

Defendants.

**PLAINTIFFS' UNOPPOSED MOTION FOR EXTENSION
OF TIME TO RESPOND TO MOTION TO DISMISS**

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(a)

Pursuant to Local Rule 7.1(a), counsel for plaintiffs, Brentley Foster, Jody Vaughan and Phil Duong, has conferred with counsel for defendants, Deschutes County and Board of Commissioners Unger, Baney and Luke regarding this request to extend the deadline for plaintiffs to respond to defendants' Motions to Dismiss until July 15, 2011. Defendants' counsel has no objection to the extension.

MOTION

Plaintiffs, Brentley Foster, Jody Vaughan and Phil Duong, their attorneys, Andrew M. Altschul and Judy Snyder, respectfully request the Court for an extension of time to respond to the Motion to Dismiss filed by Defendants, Deschutes County and Board of Commissioners Unger, Baney and Luke. In support thereof, the plaintiffs state as follows:

1. The defendants' Motions to Dismiss were filed on June 6, 2011. Plaintiffs' responses are due on June 20, 2011.
2. Defendant requests this extension because Andrew Altschul, the primary attorney for plaintiffs Brentley Foster and Jody Vaughan, will be out of the country on a previously scheduled family vacation from June 14-July 5. His absence coupled with the press of other scheduled matters, deadlines, and filings make him unable to comply with the current response deadline.
3. Defendants' counsel has indicated that he has no objection to Plaintiffs requested extension of time to respond to the Motions to Dismiss to July 15, 2011.
4. This is Plaintiffs' first request for an extension of time.
5. The motion is not made for purposes of delay or any other improper purpose.

The above stated facts are further set forth in the accompanying Declaration of Andrew Altschul, filed simultaneously herewith.

DATED this 10th day of June, 2011.

BUCHANAN ANGELI ALTSCHUL
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/s/ Andrew Altschul

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Of Attorneys for Plaintiffs Duong

CERTIFICATE OF FILING AND SERVICE

I hereby certify that on June 10, 2011, I filed the foregoing MOTION FOR EXTENSION OF TIME TO RESPOND TO DEFENDANTS' MOTIONS TO DISMISS by using the Clerk of the U.S. District Court's CM/ECF system, which will forward notice to all parties of record.

DATED this 10th day of June, 2011.

BUCHANAN ANGELI ALTSCHUL
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/s/ Andrew Altschul

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